FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR
Writ Petition No. 1400/2007

M/s Prarabdha Steel and Wooden Furniture
..vs..
Canara Bank, Gandhinagar Branch, Nagpur and others

Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's orders.	Court's or Judge's Orders

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Mr. S. A. Radke, Advocate for the petitioner.

CORAM: A. H. JOSHI & R. C. CHAVAN, JJ.
DATED : 3rd July, 2007

1. Heard.

2. The petitioner's grievance is that the respondent, in fact, is not allowed to operate the Over Draft Cash Credit account No. 1401 treating it as non performing society.

3. As a ground, the learned Advocate urges that in spite of declaration of the account as non performing Over Draft Cash Credit Account, the Bank has allowed certain withdrawals.

4. The learned Advocate brought attention of this Court to page No. 29, a typed copy of Statement of Account. It is seen that one withdrawal of Rs. 3,033/- by cheque is permitted and the other two debits are caused, one is of Rs. 662/-, which is Insurance premium and another is debit of interest accrued. In any case, these two transactions do not amount to allowing regular operation

of the account and solitary withdrawal of Rs. 3038/- is insignificant. Moreover, once account has already been treated as non operating, defaulter has no legal right to claim further over drawing.

5. In this background, the petitioner has failed to show that any illegality is committed by the respondent-Bank. The petitioner's dissatisfaction about the Bank's services cannot be a ground to file writ petition. The writ petition is, therefore, dismissed with no order as to the costs.

JUDGE **JUDGE.**

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